

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 25, 2002
8:15 A.M.**

Commissioners Present: Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Commissioners Absent: Bob Workman, Chair

Others Present: Gwen Thorpe, Deputy Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:18 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, APRIL 18, 2002 AND SALINE WETLANDS TOUR ON THURSDAY, APRIL 18, 2002

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Staff Meeting on April 18, 2002 and Saline Wetlands Tour on April 18, 2002. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Request to have a Consultant Outline General Assistance System Requirements

MOTION: Stevens moved and Hudkins seconded approval of the addition to the agenda. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Region V Executive Committee - Heier

See Item 9.

B. Community Services Implementation Project (C-SIP) - Campbell

Campbell reported that the Community Services Implementation Project (C-SIP) Advisory Committee will assist with the plan design.

4 BUDGET HEARING SCHEDULE AND LETTER REGARDING ADDITIONAL APPROPRIATIONS - Dave Kroeker, Budget and Fiscal Officer

Dave Kroeker, Budget and Fiscal Officer, reviewed the *Department Budget Hearing Schedule* and a memorandum to county departments regarding additional appropriations for Fiscal Year 2002 and the year-end expenditure cut-off (see agenda packet).

Board consensus was to reschedule County Attorney (652) from 4:30 p.m. on May 16, 2002 to 4:30 p.m. on May 23, 2002 and General Fund Miscellaneous (612, 628, 805) from 5 p.m. to 4:30 p.m. on May 16, 2002.

ADDITIONS TO THE AGENDA

A. Request to have a Consultant Outline General Assistance System Requirements

Dave Kroeker, Budget and Fiscal Officer, said the Lincoln-Lancaster County Health Department, which runs the County's General Assistance Primary Care Clinic, is installing a new software system and said an interface with the General Assistance database is recommended. He said the cost of hiring a consultant to assess General Assistance system requirements is estimated at \$3,500 (Exhibit A) and said there are sufficient funds in the Primary Care Clinic budget to fund this expense.

5 ACREAGE IMPACT STUDY - Kent Morgan, Interim Planning Director; Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, noted inclusion of the following language in the Strategies for Rural Areas section of the *Lincoln and Lancaster County 2025 Comprehensive Plan Draft* (Exhibit B):

The County, in cooperation with cities and towns, should undertake an independent study to quantify and qualify the positive and negative economic (e.g. cost of services, tax base, multiplier effect opportunities for future employment) and quality of life impacts associated with acreage development and other land uses (e.g. commercial, industrial, agricultural acreages and farm residential) both within and outside the extra-territorial area of cities and towns within Lancaster County. The study should include a review of policy issues and options such as the build through concept, lot size, acreage standards, acreages and town relationships, acreages and sensitive areas, agriculture, acreage clusters, desired acreage populations, acreage size and land use consumption and Agricultural Residential (AGR) zoning. The study should be used as a tool to better manage acreage policy. The study should be finished one year after the adoption of the Comprehensive Plan.

Kent Morgan, Interim Planning Director, said Mayor Wesely has suggested that the City and County each contribute \$20,000 towards the cost of the study.

MOTION: Campbell moved and Hudkins seconded to offer to be the lead agency for the study and to tentatively set aside \$20,000 in the budget for the County's share of the study cost. Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

6 COUNTY'S AFFIRMATIVE ACTION PLAN - Joyce Quinn, City Affirmative Action Officer; Gary Lacey, County Attorney; Diane Staab, Deputy County Attorney

Joyce Quinn, City Affirmative Action Officer, distributed copies of the following:

- A memorandum outlining the proposed 2002 Lancaster County Affirmative Action Program (Exhibit C).
- *2002 Proposed Lancaster County Affirmative Action Program and Department Workforce Analysis* (Exhibit D)

Quinn said the plan is designed to address under-representation of minorities and women and to insure that there are no barriers in the current practices and policies. She said the proposed program mirrors the 2002 City of Lincoln Affirmative Action Program to the extent possible, with the exception of the Affirmative Action Referral Provision. The provision would allow the Personnel Department to bring a qualified candidate "up" into the list of top eligible candidates selected for interview if there is underutilization in that particular job group and a minority candidate was not selected for interview after the scoring of applications.

Campbell asked the Personnel Department to track utilization of this provision and problem areas.

Hudkins asked how categories were selected for inclusion in the list of designated protected classes (see Exhibit D, Page 4), noting Russian, Bosnian and Czechoslovakian immigrants were omitted. He also questioned the need to specify racial/ethnic groups (Black; Hispanic/Latinos; Asian or Pacific Islander; and Native American or Alaskan Native) when referencing national origin.

Quinn said the categories listed are recognized by the federal government and said these racial/ethnic groups may experience discrimination in a different way. She said the categorization helps to identify where there might be problems with discrimination.

Hudkins asked whether the protected classes need to be enumerated in this fashion to be in compliance with federal policy or whether the blanket statement "on the basis of race, color, religion, sex, disability, national origin, ancestry, age, and marital status" (see Exhibit D, Page 10) would suffice.

Quinn said that is the general policy. She explained that the classifications are designed for tracking purposes and "allows us to diagnose where we fall short".

Gwen Thorpe, Deputy Chief Administrative Officer, suggested adding a category to the job application form, if a particular need is perceived.

Gary Lacey, County Attorney, noted that there is a wide divergence of opinion on the issue of tracking.

Campbell suggested tracking the following categories: national origin, persons with a disability, ancestry, age and marital status (See Exhibit D, Page 5).

Quinn said it is illegal to inquire about disabilities or age. She also cautioned against inquiring about information that is irrelevant to employment.

Hudkins expressed concern that the categories give certain individuals an "edge" in terms of employment.

Quinn said the emphasis of the plan is on outreach and recruiting.

Campbell suggested asking the Personnel Department to include a category for recent immigrants on the job application form, for tracking purposes. She also suggested outreach to recent immigrants through the New Americans Task Force.

Diane Staab, Deputy County Attorney, noted the procedures for internal discrimination or harassment investigations (see Exhibit D, Page 10) and said some elected officials may oppose the City Affirmative Action Officer's role. She said education may be necessary.

Quinn said the County Board may want to have the department heads and elected officials sign off on the plan, on an annual basis. She said once the plan is adopted, she will inform departments of their new responsibilities and provide education on what is included in the plan.

MOTION: Campbell moved and Stevens seconded to:

- 1) Send copies of the *2002 Proposed Lancaster County Affirmative Action Program* to members of the Management Team, with a cover letter from Joyce Quinn, City Affirmative Action Officer, and Diane Staab, Deputy County Attorney, explaining that the plan is based on federal law, that is currently being reviewed by the County Board and asking that comments or suggestions be forwarded to Quinn
 - 2) Request a revision of the Designated Protected Classes Section
 - 3) Schedule additional discussion of the plan in two weeks
- Campbell, Heier, Hudkins and Stevens voted aye. Motion carried.

7 REQUISITION FOR NEW SECRETARY/RECEPTIONIST FOR COUNTY BOARD - Cori Beattie, County Board Administrative Secretary

Cori Beattie, County Board Administrative Secretary, said the Human Services Department will be moving out of the County Commissioners Office in the near future which will leave a shortage of clerical staff. She said an Excluded Clerk Typist III position was included in the Administrative Services Budget but the position has not been filled. Beattie suggested upgrading the position to County Board Administrative Secretary and estimated the difference in salary at \$5,000. She said the individual will be cross-trained to be able to cover Beattie's job duties during absences and to allow her time to assist other departments and to work on administrative projects.

Campbell said the Board may be asking departments to cut positions in response to the budget situation and said this may be perceived as treating the County Commissioners Office differently. She suggested giving consideration to job sharing, flex-time or a part-time employee to cover peak times.

The Board asked to see job descriptions for Excluded Clerk Typist III and County Board Administrative Secretary and the scope of proposed expanded duties for Beattie. Additional discussion of the position was scheduled on the May 2, 2002 Staff Meeting agenda.

8 LABOR NEGOTIATIONS (EXECUTIVE SESSION) - Georgia Glass, Personnel Director; John Cripe, Classification and Pay Manager; Diane Staab, Deputy County Attorney

MOTION: Campbell moved and Hudkins seconded to enter Executive Session at 10:00 a.m. for discussion of labor negotiations. Campbell, Heier, Hudkins and Stevens voted aye. Motion carried.

MOTION: Stevens moved and Campbell seconded to exit Executive Session at 10:23 a.m. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

9 PERSONNEL MATTER (EXECUTIVE SESSION) - Sheryl Schrepf, Juvenile Mental Health Director

The following is transcribed verbatim:

Heier: Sheryl, I asked for this to be on Executive Session. I'm informed it can't be on Executive Session, so that's fine with me. I don't have any problem with that. What brought this forward was . . . I had a meeting the other day. I hope I term this right . . . the Region V . . . members of the Governing Board. Not their Executive Committee . . .

Campbell. Oh.

Heier: Well, yes it is the Executive Committee, I guess. I'm not sure whether it's the Executive Committee now or . . . we'll just call it the Executive Committee. We had talked about a meeting that we'd had . . . that Doris and I had with Ron Ross. And after that meeting . . . or during that meeting and after . . . they asked if . . . to see (inaudible) only answer at this time would have been to have Sheryl and Jill cooperate in a fashion that would be conducive to Region V working together better with F³. So in my phone conversation with you I may have used the wrong verbiage. So today, my verbiage to you is that I would strongly urge you to continue your cooperation and good efforts with Region V in working with Jill Rubottom.

Schrepf: Excellent.

Heier: Along with that I did call Doris Karloff the other evening. I think Kathy brought it to my attention that Region V members should all be aware of the conversation between Ron Ross, Doris Karloff and myself. And I agree with that. I think that was you that brought it to my attention. I assume from the conversation with Doris that was her plans anyways. So at this point, at the next meeting that we have it will be brought forward to Region V Board members. And I think that will be in an Executive Session. I think that will be. Ray?

Stevens: I would just like to commend Sheryl and ask her to continue her high level of professionalism in the execution of her assigned duties.

Schrepf: Thank you.

Campbell: I just would like to . . . I mean I haven't (inaudible) of time to think about this since Bernie talked to me on Tuesday. And I just want the Board to know that 1986, before I even took office, I was called to the County Board office by Jan Gauger and Joe Edwards and what they wanted to talk to me about was would I go on the Region V Governing Board and they wanted to talk to me about Jill Rubottom. And so I would like to just . . . I mean . . . the whole point that I hope that we can make to them is that is not . . . this is not a situation between Jill Rubottom and Sheryl Schrepf. This has to do with a lot longer and a lot more complicated issues that have been dealt with long before F³ or Sheryl stepped on to the stage. And I think that if we can convey to the Region V Governing Board the complexity of this issue and the long nature of it. And to give you some idea of that long nature of it, Ray Stevens was kind enough to share with me that when he took office . . . before he took office, he was warned by a member of the Region V Governing Board to watch out for two people. And those two people were Kit Boesch and Kathy Campbell. And the name of Sheryl Schrepf never arose. So I want to convey to my fellow colleagues the seriousness of the issue that Region V is conveying here. But the Executive Board is the level that needs to deal with it and will need to understand the complexity of it and they need to understand the long state (inaudible). And to think that this is a simple issue between two people is wrong. And that's . . . I mean I will say a lot more on record, any time, any place but I appreciate Bernie's comments. I think everyone at Lancaster County pledges a professional point, as Ray indicated. That's been the hallmark of Lancaster County for years. It will continue to be. And they need to understand that this is not one person.

Heier: Larry?

Hudkins: Well I concur that it's certainly not one person and in the short time that I served on . . . on Region V, long before Sheryl was ever involved or ever . . . ever knew her, it's always been a tenuous relationship with Lancaster County and the rest of the Region. And personally, I've . . . I've lobbied the Governor and HHS. I thought we should be a Region unto our self. There is a lot of difference between us and the other fifteen counties. However, state government doesn't see it in fashion. They believe we ought to maybe even make those Regions larger, from what I'm being told. But I think its important that HHS and Mike Epstein, as the evaluator from the University . . . I think they need to share these things with that entire Board so (inaudible) this perception that Lancaster County's the problem. And I would hope that . . . I would hope that happens. I think we've been the person carrying the load and probably carrying a lot of the blame as . . . and there are certainly Board members, or I'll say it this way, Board members from Region V that have expressed to us the feeling that we took F³ away from them. And we around this table know that's really not the case. We assumed responsibility for it. I don't think it's accurate to say that we took it away from them. But that perception is still out there, so that's a lot of the undermining. I really think that Mr. Ross and Mr. Epstein need to, in some fashion, get to that Board and tell them what their concerns are straight away so that entire . . . there's good people on that Board . . .

Schrepf: Um hmm.

Hudkins: . . . but they need to hear the whole . . . whole story.

Heier: And . . . and Larry? I would tell you that the last meeting that Sheryl attended, along with several other people, that Mike Epstein was there. And Mike Epstein did tell them about the evaluation of F³.

Campbell: And gave them a copy.

Heier: And it was a copy. And the report was outstanding for F³ and I'm sorry I . . . they say they still don't have a burr under their saddle about this, but I'm not totally convinced of that. However, I'll take their word for it, since we're on record. Anyway, going back to the basics, I do apologize to you for the wrong verbiage. And I reiterate that on the public hearing. I want to make sure that Doris Karloff receives a copy of the exact verbiage in this conversation today, Ann, about this session. And if you have anything to say, have the floor Sheryl.

Hudkins: And have we gotten anything back from the County Attorney's Office differentiating the difference between a Closed Session and an Executive Session?

Heier: I've not seen that yet. And I . . . you know, I don't know.

Hudkins: But we . . . that request has gone to the County Attorney?

Heier: I don't have a big concern about that. It is . . . it is a concern, but it's not a large concern for me. I'd like to know the difference.

Hudkins: I would, too. I'd like to have clarification on it.

Heier: But that's not our real problem. Our real problem is what we have facing us.

Campbell: And . . . and I have to say to my fellow colleagues I truly regret . . . I mean Bernie was . . . was nice enough and kind enough to invite me to come to the Region V Board last time. And Mike Epstein spoke and Sheryl spoke and . . . I mean I really thought things were going very well, so I didn't raise my hand and I didn't say "Folks, let me tell you what happened between Jill and Ron Ross and myself." And I didn't . . . and I regret that . . . that I didn't stand up to them and tell them that story. Because that clearly says . . . I mean, it wasn't our choice. And it was a five minute meeting. "I'm taking the project from you and I'm giving it to them. Any other comments?" And the question was "What about the money?" And he said "I think you should be paid for the rest of this year and we'll work that out." And we walked out of the room. And that is literally what happened. And I do not think he would have made that choice if it had not been for Mike Epstein's report, which was handed out at the last meeting. Because that report . . . and Mike Epstein was the national evaluator. F³ was only here because of his reputation and it only lasted as long as it did, before the change was made, because of Mike Epstein.

Heier: And Ron Ross did tell that to Doris Karloff, in my presence, last week.

Campbell: Yeah. I mean it . . . there's . . . there's no doubt. It's an easy back up here between what Ron Ross would tell somebody and what I would tell somebody. Because that's exactly what happened. We were in a meeting of all . . . I mean Doris was there . . . a whole bunch of people, and Ron Ross arrived and listened for about fifteen minutes and said "I would like a break in the meeting and I'm going to take Kathy and I'm going to take Jill and we're going to go in a room. And we'll be back in five minutes." And we walked into a room upstairs and sat down in that room and he said . . . no . . . nothing . . . there was no introductions. It was "I'm taking the project from you and I'm giving it to Lancaster." And five minutes later we walked out. And we had the project. And Kit and Linda Steinman and myself walked out of the office and said "Now what in the heck do we do?"

Heier: Is that your words?
Laughter.

Campbell: And that's the truth of how this all . . . Now . . .

Hudkins: You hadn't lobbied for it? Or he hadn't called you ahead of time and asked you if you would take it?

Campbell: No.

Hudkins: It was just . . . I'll say I . . .

Campbell: But he . . .

Hudkins: I'll say I . . . this is the first time I've ever heard this.

Campbell: But he knew . . . but he knew the severity of this, Larry. I mean, I'm . . .

Hudkins: And he had a fairly good reason that you could . . .

Campbell: Would I say . . .

Hudkins: (Inaudible)

Campbell: . . . would I say that there were not reports from Mike Epstein that went to Ron Ross? Definitely. Had there been concerns expressed by Lancaster County? You bet. Because not one young person had been served in a year. And all of a sudden people were just going, "You have to listen to this. You have to pay attention." This is Kit Boesch. And to say that no, we had not expressed concerns . . . that would be wrong, Larry. But, no . . . I mean I sat there and went, "Okay. Now what do we do?" And that . . . I mean and Ron Ross will tell you the same story. And I think it's because of Mike Epstein.

Stevens: Yeah, I do, too.

Campbell: And they do have that report, Larry.

Hudkins: Well, that's good.

Schrepf: Well, I came here today with a little apprehension. And I apologize, too . . . Bernie, to you for the kind of (inaudible) did want to leave on the phone, and those things happen.

Heier: That's fine.

Schrepf: I really appreciate the confidence and support. What was funny, and I told Kerry, after you came back and he called me . . . the call came on the heels of a call from the Child Welfare League of America saying that they've been told that F³ was one of the model projects in the country. And wouldn't we like to participate in some things. And you know . . . you know sometimes we get caught up in the micro stuff that isn't what's happening. I want to . . . I want to reassure you that Region V is involved in the way that anybody else in the community is. Every . . . and I went back through, just . . . I thought okay, let's just take a look at this . . . every single group . . . Conveners, Stakeholders, all the tasks forces we've had in two and a half years have Region V representatives on them and they're active. Dawn Renee Smith, C. J. Johnson, Malcolm Miles, as well as Joe. And we always go and always . . . and we've said that on the Convener level, they are an important partner to this project. And we can't not continue to try to bring them in. And sometimes we . . . well, we haven't been very successful for who

knows what reasons. But we have on the . . . on the grassroots level. Maybe not on the big . . . Convener to Stakeholder, you know County Board to . . . to Regional Governing Board, but we have a lot of involvement. And we . . . we will continue to work to get more of that. So . . .

Heier: Thanks.

Schrepf: Thank you. I have files . . . backup if you want to see it.

10 WELLNESS COMMITTEE UPDATE - Sue Eckley, Workers' Compensation & Risk Management Manager; Cori Beattie, City/County Wellness Committee Chair; Lisa Henning, WorkWell Executive Director; Georgia Glass, Personnel Director

Sue Eckley, Workers' Compensation & Risk Management Manager, noted data detailing employee sick leave usage for 2001 and 2002 and said it is crucial that an operating plan be developed if the County wants to start impacting health insurance costs.

Lisa Henning, WorkWell Executive Director, gave an overview of worksite wellness services offered by WorkWell, Inc. (Exhibit E). She said implementation of the wellness program may help the County to curb insurance premiums, increase productivity and decrease absenteeism.

Georgia Glass, Personnel Director, said the County currently contracts with Risk Management for wellness and safety services. She said there may be additional services that the County would want to contract for, separate from the City, such as employee health assessments.

Gwen Thorpe, Deputy Chief Administrative Officer, noted that the City and County have achieved different levels of achievement in the WorkWell program, which impacts programs and goals.

Cori Beattie, City/County Wellness Committee Chair, said her committee lacks goals and objectives and said it is her recommendation that the County separate from the City in terms of wellness programs.

The Board asked Thorpe, Eckley and Beattie to develop a proposal and budget and bring it back to the Board.

11 ACTION ITEMS

A. Agenda Items for May 8, 2002 City-County Common Meeting

Meeting has been cancelled.

- B. Microcomputer Request, C#2002-156, \$2,416.70 from County Weed Control Budget for One (1) Laptop Computer and Software

The Board requested a review by Information Services.

12 ADMINISTRATIVE OFFICER REPORT

A. County Web Standards

Gwen Thorpe, Deputy Chief Administrative Officer, and Terry Lowe, Information Services Project Manager, presented the proposed banner standard for County webpages (Exhibit F). It was noted that the County Seal and American flag are optional graphics.

Campbell expressed concern regarding animation on webpages.

Board consensus was to restrict animation within the boundaries of the banner.

B. Staff Meeting for Budget Planning, May 7, 2002 (Room 106)

See Item 4.

C. Saline Wetlands Tour Follow-Up

Stevens questioned what the Board will be expected to vote on in the Comprehensive Plan, in terms of the saline wetlands.

The Board asked whether the Task Force on the Salt Creek Tiger Beetle has any additional information to present. A list of who was originally suggested for inclusion on the Board's saline wetlands tour was also requested.

D. Industrial/Commercial Use in Agricultural (AG) Zoning District

Item delayed one week.

E. Renewal or Rebid of Annual Requirements Agreement for Removal of Dead Animals

Thorpe reported a recommendation from the Purchasing Department to renew the agreement with Industrial Services, Inc. for removal of dead animals on county roads.

F. Replacement for Art Althouse on County Board of Zoning Appeals

Hudkins suggested Burdette Piening, a northwest Lancaster County resident.

13 ADJOURNMENT

MOTION: Stevens moved and Hudkins seconded to adjourn the meeting at 11:40 p.m. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk